

11 NCAC 08 .1116 CODE OF ETHICS

- (a) Licensees shall discharge their duties faithfully, accurately, and impartially to the public and to their clients.
- (b) Opinions expressed by licensees shall be based only on their education, experience, and honest convictions.
- (c) A licensee shall not disclose any information about the results of an inspection without the approval of the client for whom the inspection was performed, or the client's representative, unless the licensee finds that public health, safety, or welfare imperatively requires immediate or emergency action.
- (d) No licensee shall accept compensation or any other consideration from more than one interested party for the same service without the written consent of all interested parties.
- (e) No licensee or licensee's company shall compensate, either financially or through other services or benefits, realty agents or other parties with a financial interest in closing or settlement of real estate transactions for the following:
 - (1) Referral of inspections; or
 - (2) Inclusion on a list of recommended inspectors or preferred providers.

This Rule also prohibits co-marketing or sharing of expenses between the licensee or licensee's company and realty agents or other parties with a financial interest in closing or settlement of real estate transactions that obligates the realty agents or other parties with a financial interest in closing or settlement of real estate transactions to include the licensee or the licensee's company on preferred lists of providers.

- (f) No licensee shall express, within the context of an inspection, an appraisal or opinion of the market value of the inspected property.
- (g) Before the execution of a contract to perform a home inspection, a licensee shall disclose to the client any interest he or she has in a business that may create a conflict of interest for the home inspector or the client. No licensee shall allow his or her interest in any business to affect the quality or results of the inspection work that the licensee may be called upon to perform. The client must approve in writing the licensee's dissemination of personal information including names, addresses, email addresses or phone numbers unrelated to the results of the home inspection to any third parties, other than the Board.
- (h) A licensee shall not solicit for repairs of systems or components found defective in the course of a home inspection performed by the licensee or that licensee's company.
- (i) Licensees shall not engage in false or misleading advertising or otherwise misrepresent any matters to the public.
- (j) Licensees shall not inspect properties under contingent arrangements whereby any compensation or future referrals are dependent on reported findings or on the sale of a property.
- (k) A licensee shall not impugn the professional reputation or practice of another home inspector, nor criticize another inspector's reports.
- (l) Licensees must obtain written permission from the client or clients to sell, share, or provide data or personal information such as names, addresses, email addresses, telephone numbers about the home inspection or the client or clients to third parties, other than the Board.

*History Note: Authority G.S. 143-151.49;
Codifier determined that agency findings did not meet criteria for temporary rule Eff. October 15, 1996;
Temporary Adoption Eff. October 24, 1996;
Eff. July 1, 1998;
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